

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ESSEX PROPERTY TRUST, INC.,

Plaintiff,

v.

JOSE R. VALDES,

Defendant.

Case No. [16-cv-04372-WHO](#)

**ORDER ADOPTING REPORT AND  
RECOMMENDATION AND  
REMANDING**

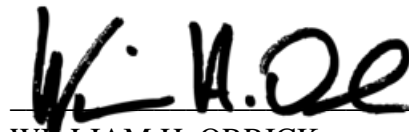
Dkt. No. 9

On August 5, 2016, Magistrate Judge Jacqueline Scott Corley granted defendant's application to proceed *in forma pauperis* and ordered defendant to show cause, by August 26, 2016, why this case should not be remanded to state court. Defendant failed to respond to Judge Corley's order. On September 7, 2016, Judge Corley issued a Report and Recommendation recommending that this case be REMANDED to Superior Court as this court lacks subject matter jurisdiction to hear this case. Objections to Judge Corley's recommendation were due by September 21, 2016. Federal Rule of Civil Procedure 72(b); Civ. Local Rule 72-3. As of today's date, no objections have been filed.

Having reviewed the matter, the Court ADOPTS Judge Corley's Report and Recommendation in whole. This case is REMANDED to Contra Costa County Superior Court.

**IT IS SO ORDERED.**

Dated: October 4, 2016



WILLIAM H. ORRICK  
United States District Judge